

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Natalie Wheeler,

Plaintiff,

-v-

Emerald Peek Rehabilitation and Nursing Center,

Defendants.
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22 CV 07886 (KMK)

ORDER OF DISMISSAL

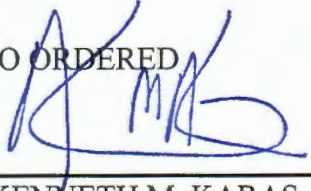
KENNETH M. KARAS, United States District Judge:

The Court having been advised that all claims asserted herein have been settled, it is ORDERED that the above-entitled action be and is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within forty-five days of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen **must** be filed **within forty-five days** of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court within the same forty-five day period to be "so ordered" by the Court. Per Paragraph 4(B) of the Court's Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are denied. All conferences are vacated. The Clerk of Court is directed to close the case.

SO ORDERED



KENNETH M. KARAS, U.S.D.J.

Dated: February 14, 2024
White Plains, New York